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15 *Attorneys for Defendant*
16 BLUE COAT SYSTEMS LLC

17 **IN THE UNITED STATES DISTRICT COURT**

18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 **SAN JOSE DIVISION**

20 FINJAN, INC., a Delaware Corporation,

Case No.: 15-cv-03295-BLF-SVK

21 Plaintiff,

**STIPULATION REGARDING
OCTOBER TRIAL AND
[PROPOSED] ORDER**

22 v.

23 BLUE COAT SYSTEMS LLC, a Delaware
24 Corporation,

25 Defendant.

1 By and through their respective undersigned counsel, Plaintiff Finjan, Inc. (“Finjan”) and
2 Defendant Blue Coat Systems LLC (“Blue Coat”) (collectively, the “Parties”), hereby stipulate and
3 agree as follows:

4 WHEREAS, between October 31, 2017 and November 14, 2017, a jury trial was held regarding
5 infringement and damages issues related to Finjan’s U.S. Patent Nos. 6,154,844 (“‘844 patent”);
6 6,965,968 (“‘968 patent”); 7,418,731 (“‘731 patent”); 8,225,408 (“‘408 patent”); 8,677,494 (“‘494
7 patent”); and 9,189,621 (“‘621 patent”) (the “October Trial”);

8 WHEREAS, on November 20, 2017, the jury was unable to reach a verdict on infringement
9 related to the ‘844 and ‘494 patents;

10 WHEREAS, on November 21, 2017, the Court scheduled a retrial related to the ‘844 and ‘494
11 patents to commence on January 8, 2018 (the “January Trial”);

12 WHEREAS, the Parties agree not to raise the existence of the October Trial or verdict from the
13 October Trial before the jury in the January Trial, aside from use of testimony (direct or cross-
14 examination testimony) for impeachment;

15 THEREFORE, the Parties stipulate to not raise the existence of the October Trial or verdict
16 from the October Trial before the jury during the January Trial, aside from the use of testimony for
17 impeachment.

18 **IT IS SO STIPULATED.**

19 KRAMER LEVIN NAFTALIS & FRANKEL LLP

20
21 Dated: January 2, 2018

By: /s/ Paul Andre

22 Paul Andre
23 Attorneys for Plaintiff
24 FINJAN, INC.

25 MORRISON & FOERSTER LLP

26 Dated: January 2, 2018

By: /s/ Stefani E. Shanberg

27 Stefani E. Shanberg
28 Attorneys for Defendant
BLUE COAT SYSTEMS LLC

ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from any other signatory to this document.

By: _____ /s/ *Stefani E. Shanberg*
Stefani E. Shanberg

1 **PROPOSED ORDER**

2 Before the Court is the Parties' Stipulation Regarding October Trial.

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4 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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7 DATED: January 3, 2018

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The Honorable Beth Labson Freeman
United States District Judge